OFFICE OF THE DIVISIONAL COMMISSIONER, BELGAUM.

Dated 6th—14th April 1967.

ORDER.

No. VPC. MSC. 418. Whereas a notice was issued on 28th January 1967 under sub-section (3) of Section 203 of the Mysore Village Panchayats and Local Boards Act, 1959 to the Town Panchayat, Hirekerur through its Chairman to show cause why the Panchayat should not be superseded for a period of one year for having become incompetent to perform its duties and has made persistent defaults in the performance of the duties imposed on it under Mysore Village Panchayats and Local Boards Act, 1959 and other laws in force :

Whereas the Chairman of the Panchayat has by his telegram dated 23rd February 1967 and his letter No. 18 dated 23rd February 1967, merely replied that the members of the Panchayat have compromised and passed the budget and commenced work.

Whereas the above replies given by the Panchayat do not satisfactorily explain the defaults and irregularities committed by it as set out in the abovementioned show cause notice and I, Shri G. S. Srinivasan, I.A.S., Divisional Commissioner, Belgaum, am of the opinion that the Panchayat has become incompetent to perform and has made persistent defaults in the performance of duties imposed on it under Sections 42, 43 and 45 of the said Act and other laws in force, has failed to levy the taxes under Section 73 of the said Act and has persistently disobeyed the orders of the Deputy Commissioner, Dharwar ;

Now therefore, in exercise of the powers conferred on me by sub-section (1) of Section 203 of the Mysore Village Panchayats and Local Boards Act, 1959, I order that for the reasons set out in the Annexure to this order the Town Panchayat of Hirekerur be and is hereby superseded for a period of one year from the date of publication of this order in the official Gazette and further direct that all the members of the said Panchayat shall vacate their office as such members from the said date of publication in the Gazette.

Further under sub-section (6) of Section 203 of the said Act, I appoint Shri B S. Masanagi, Extension Officer (Panchayat) of Hirekerur Development Block as administrator to exercise and perform the powers and duties of the said Panchayat.

G. S. SRINIVASAN, *Divl. Commissioner.*

ANNEXURE.

(1) In all 19 meetings of the Panchayats were called during the period from 11th September 1965 to 25th June 1966 but in none of the meetings except at the one held on 13th January 1966 any business was transacted for want of quorum. The only business transacted in the meeting held on 13th January 1966 was to express condolences on the sad demise of the then Prime Minister of India.

(2) The Panchayat has failed to pass the budget of the Panchayat for the year 1966-67 and contravened Rule 25 (1) of Mysore Panchayats Budget and Accounts Rules, 1960.

(3) The Panchayat has failed to take care of the public water ponds in its charge and has allowed the ponds to become unfit for domestic use and contravened clause (b) of Section 42 of the said Act.

(4) The Panchayat has failed to get the roads repaired and the side gutters cleaned and thus contravened clause (c) of Section 42 of the said Act, thereby causing great nuisance to the public;

(5) The Panchayat has failed to take proper measures for lighting and sanitation of the town in contravention of clauses (d) and (g) of Section 42 of the said Act;

(6) The Panchayat has failed to maintain the chavadi and cattle-ponds buildings in good repair and contravened clause (m) of Section 42 of the said Act;

(7) The Panchayat has failed to levy taxes on many non-agricultural plots and newly erected buildings and thus contravened clause (a) of Sub-section (1) of Section 73 of the said Act;

(8) The Panchayat has failed to levy taxes on profession, trades, callings and employments such as merchants, rice mill, flour mills and timber depots owners and contravened clause (b) of sub-section (1) of Section 73 of the Act;

(9) The Panchayat has failed to levy taxes on carts and cycles under clause (ii) of sub-section (4) of Section 73 of the said Act;

(10) The Panchayat has failed to recover the taxes in due time and has allowed the arrears to accumulate to the extent of Rs. 41,710-40;

(11) The Panchayat has persistently disobeyed the orders of the Deputy Commissioner by not levying octroi under Sub-Section (3) of Section 73 of the said Act;

(12) The Panchayat has failed to regulate offensive and dangerous trades in contravention of the provisions of Section 65 of the said Act and Rules thereunder.

1414 G. S. SRINIVASAN, *Divl. Commr.*

...nted by the Director of Printing, Stationery and Publications at the Govt. Press, Bangalore.